

March 27, 2000

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Bob Egan, HRP-8J  
US EPA- Region V  
77 West Jackson Blvd  
Chicago, IL 60604-3590

REASON: XL Project Proposal  
US Filter Recovery Services Inc.  
EPA ID# MND981098478  
2430 Rose Place  
Roseville, MN 55113

Dear Mr. Egan:

This letter includes our response to US EPA's March 16, 2000 letter concerning our XL Project Proposal. I will refer to the portions of the cover letter or Project Element Requirements for reference.

1. When referencing the applicable regulatory agencies, the Minnesota Metropolitan counties with RCRA authority should also be included when appropriate.
2. In the cover letter, second paragraph, only USFRS vehicles could be used for the transport of spent XL canisters. USFRS would like to have this changed to include other USFRS approved and permitted hazardous waste transporters. If this project were expanded to all states, other permitted hazardous waste transporters would be needed to remain economically competitive. Allowing only permitted hazardous waste transporters would maintain the environmentally protective handling that RCRA provides.
3. Within that same paragraph, there is a requirement that canisters would be drained. Other than reduced weight for shipping, this serves little purpose. The water in these canisters poses little if any hazard. The larger canisters do have drain valves that would allow one-half to two-thirds of the water to be drained. Small canisters could be easily turned upside down with the same portion of water drained. However, that will allow the resin to come out of the tank along with the water. Also, the mid-sized canisters weight about 300 pounds and have no easy mechanism to allow draining. These would pose a serious back injury hazard if it were required that they be manually drained. Because of the lack of hazard posed by this water, this requirement serves little purpose. In the case of mid-sized containers, this would create a significant safety hazard. In the case of the small containers, this would likely result in the loss of resin. Creating spills of the hazardous constituent, and to USFRS, the loss of our valuable resin.
4. Also within the same paragraph, a 30-day storage limit was set. This would be more restrictive than the customer would be currently meeting under RCRA. Considering the lack of hazard presented by these materials. Current RCRA limits already set by the generators status should be sufficient. As with transportation, setting more

restrictive standards for this project will tend to discourage participation, rather than encourage it.

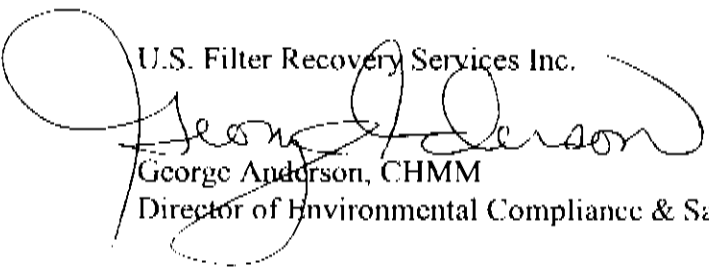
5. On the first page of the Project Element Requirements, second paragraph, the requirement that all transportation spills be the responsibility of USFRS. This would be appropriate if USFRS is the only transporter. If other permitted transporters were involved, they would have to be responsible during their shipping.
6. Page one, second bullet, XL wastes defined; the requirement that only included wastes which are classified as F006. Some spent resins carry additional secondary characteristic waste codes. These would also have to be included in the project.
7. Same page and paragraph, USFRS requests that the Agency follow up the notification period with a letter of acknowledgement of participation. This would give the participant documentation of their participation in the XL Project from a recognized government agency.
8. Page two, third paragraph, requiring spilled material to be transported to USFRS within 5 days. This again would be much more restrictive than RCRA. Allowing current RCRA generator storage requirements to stand would be appropriate. Especially considering the lack of hazard that these materials present. They do not warrant extraordinary storage standards beyond RCRA.
9. Page two, paragraph 8, requiring separate storage. This needs to be more clearly defined. If separated, but within the same storage area, USFRS does not have a problem with this requirement. If a separate storage area were required, this would discourage participation from those that do not have alternative areas available.
10. Page two, bottom paragraph, is ambiguous. Does this statement refer to the generators responsibility for properly managing their waste? Could this be restated?
11. Page three, under USFRS additional requirements, paragraph two. USFRS recognizes the importance of finding a replacement for our metal oxide sludge reclaimer. This is a high priority task that is receiving serious management attention. We hope to complete this task before the start of the XL Project.
12. Page four, first full paragraph requires delivery of canisters within 72 hours of pickup. This again is more restrictive than RCRA. If the project expands to include all states, this may discourage participation in the project, not encourage it. Again, these materials do not pose a serious health or environmental threat that warrants unique protection beyond RCRA. Current RCRA standards should be sufficient.
13. Page four, fourth paragraph “- a certification signed by the customer “ We assume that this certification is only required one time, will be kept on file by USFRS and US EPA. This certification, like the Resin Profile, will serve as a statement from the participant that their resins continue to conform to the Resin Profile. We do not believe that a re-certification should be required for each shipment.

14. Page four, fifth paragraph – “USFRS would maintain a list...” Certain data that may be collected under this project could contain sensitive or proprietary information that some customers may prefer to keep confidential. If this case develops, does the US EPA have a mechanism that would allow this information to be kept confidential?
15. Final paragraph USFRS will work with US EPA to provide all essential data for this project possible. Where direct analysis is difficult or impossible to get, USFRS will provide the most accurate projection that is cost-effective.

We are looking forward to continuing to work with US EPA on what we consider a promising opportunity to help encourage higher forms of waste management, pollution prevention, and resource conservation. We believe the majority of these items can be easily resolved with further discussion.

If there are any questions on this letter, please contact me at (651) 638-1313.

U.S. Filter Recovery Services Inc.



George Anderson, CHMM

Director of Environmental Compliance & Safety